

Sunset Public Hearing Follow-up Questions for
Advisory Council on State Procurement
Created by Section 4-56-106, *Tennessee Code Annotated*
(Sunset termination June 2017)

1. Provide a brief introduction to the council including information regarding its purpose, statutory duties, staff and administrative attachments.

Response to Question 1:

The Advisory Council on State Procurement was created pursuant to Tenn. Code Ann. § 4-56-106.

Pursuant to Tenn. Code Ann. § 4-56-106(g) – (l), the Council shall:

- Meet at least twice per year to discuss problems and recommendations for the improvement of the procurement process or any other matter relevant to procurement as determined by the chief procurement officer;
- Review and issue a formal comment approved by the council on procurement policies, standards, guidelines, and procedures established by the chief procurement officer prior to being presented for approval by the commission. All reviews and formal comments shall be issued within sixty (60) days of being presented to the council by the chief procurement officer. The formal comments approved by the council shall be provided to the members of the commission, and the officers of the fiscal review committee;
- When requested by the chief procurement officer, the council may conduct studies, research, analyses, and make reports and recommendations with respect to subjects or matters within the authority and duties of the chief procurement officer. The chief procurement officer may appoint advisory groups to assist in specific areas, and with respect to any other matters within the authority of the chief procurement officer;
- In a strictly advisory capacity:
 - Make recommendations to the governor, general assembly, fiscal review committee, commissioner of general services, commissioner of finance and administration, and comptroller of the treasury relating to the enactment or promulgation of laws or rules that affect this title and title 12, chapters 3 and 4;
 - Make recommendations to the commissioner of general services and commissioner of finance and administration regarding the method and form of statistical data collections; and
 - Monitor the performance of the chief procurement office in the implementation of legislative directives.
- Develop evaluations, statistical reports, and other information from which the general assembly may evaluate the impact of legislative changes to procurement laws;

- As referred by the standing committee of the General Assembly to which a particular bill is introduced, review bills introduced in the general assembly proposing to make any change in public procurement or contract law, or to make any change in the law that may have a financial or other substantive impact on the administration of public procurement and contract law.

Advisory Council Staff:

- Paul Krivacka, Central Procurement Office
- Charlotte McKinney, Central Procurement Office

The Advisory Council is administratively attached to the Department of General Services.

2. Provide a list of current members of the council. How many times has the council met since the December 2013 governmental entity review hearing? How many members were present at each meeting?

Response to Question 2:

Please see Attachment A for a list of current Advisory Council members.

The Advisory Council has met seven times since December 1, 2013 (please see Attachment B for number of members present at each meeting).

3. Has the council promulgated rules and regulations? If yes, please cite the reference.

Response to Question 3:

No. The CPO has promulgated rules regarding state procurements at Tenn. Comp. R. & Regs., ch. 0690-03-01 (2014).

4. Describe any items related to the council that require legislative attention and your proposed legislative changes.

Response to Question 4:

For the 2015 109th General Assembly, the CPO proposes legislation which deals with protests of procurements and limitation of liability clauses in state contracts. In addition, the CPO's proposed legislation also will enable higher education institutions to participate in cooperative purchasing contracts in which the CPO is participating or conducting.

5. Describe the nature and extent of the council's activities or accomplishment since the date of the last governmental entity review hearing to the present.

Response to Question 5:

The Council has assisted in developing new procurement policies, procedures, rules and the Procurement Procedures Manual. Additionally, it has recommended adoption of those policies, procedures, Rules and Procurement Procedures Manual to the Procurement Commission. The rules, policies and Procedures Manual are available online at:

<http://tn.gov/generalserv/cpo/library.shtml>

**CENTRAL PROCUREMENT OFFICE
 ADVISORY COUNCIL ON STATE PROCUREMENT APPOINTEES
 MEMBERS AS OF 11/24/14
 MICHAEL F. PERRY, CPO, CHAIRMAN**

NAME	FROM	TERM	ENDING DATE	APPOINTED BY
5 Voting Members:				
Mike Perry	Central Procurement	N/A	--	T.C.A. § 4-56-106(a)(2)
Sondra Howe	Military Department	4 YR	10/31/2017	DGS-Commissioner Oglesby
Ted Hayden	General Services	4 YR	10/31/2018	DGS-Commissioner Oglesby
Buddy Lea	Finance & Administration	4 YR	10/31/2017	F&A-Commissioner Martin
Jason Mumpower	Comptroller's Office	4 YR	10/31/2015	Comptroller Wilson
7 Non-Voting Members:				
Rick Peppers Mt. Juliet, TN (Nashville Office Interiors)	Vendor Community	4 YR	10/31/2017	Governor Haslam
Michelle Lane Nashville, TN (Metropolitan Govt of Nashville and Davidson Co.)	NIGP	4 YR	10/31/2018	Governor Haslam
Terry Anderson Shady Valley, TN (State of TN, Dept. of Correction)	NIGP	4 YR	10/31/2017	Speaker of Senate, Lt. Governor Ron Ramsey
Jane Greenlee Nashville, TN (3M Corporation)	Vendor Community	4 YR	10/31/2018	Speaker of Senate, Lt. Governor Ron Ramsey
Scottie Domenico Nashville, TN (AED Brands)	Vendor Community	4 YR	10/31/2017	Speaker of the House, Beth Harwell
VACANT/Awaiting Appointment	NIGP	4 YR	10/31/2018	Speaker of the House, Beth Harwell
Tommy Wheeler Murfreesboro, TN (Durham Realty & Auction)	Vendor Community	2 YR	10/31/2015	Fiscal Review Com. Chairman Senator Bill Ketron

**ADVISORY COUNCIL ON STATE PROCUREMENT
MEETINGS HELD SINCE DECEMBER 1, 2013**

Meeting #	Meeting Date	Members Present	Members Joining by Telephone
012	December 16, 2013	7	0
013	January 30, 2014	9	0
014	March 5, 2014	7	0
015	April 2, 2014	9	1
016	April 30, 2014	8	1
017	August 4, 2014	10	1
018	October 27, 2014	8	0